

01/22/01  
jc912 U.S. PTO

01-24-01

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Please type a plus sign (+) inside the box [+]

PTO/SB/05 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 04324.P038

(maximum 12 characters)

First Named Inventor Adolfo Pinheiro Vidé

Title: METHOD AND SYSTEM FOR REMOVAL OF RED EYE EFFECTS

Express Mail Label No. EL 638 835 085 US

jc912 U.S. PTO  
09/767331  
01/22/01

ADDRESS TO: Assistant Commissioner for Patents  
Box Patent Application  
Washington, D. C. 20231

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. X Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original, and a duplicate for fee processing)
2. \_\_\_\_\_ Applicant Claims Small Entity Status. (37 CFR 1.27)
3. X Specification (Total Pages 40)  
(preferred arrangement set forth below)
  - Descriptive Title of the Invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference sequence listing, a table,  
or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4. X Drawings(s) (35 USC 113) (Total Sheets 7)
5. X Oath or Declaration (Total Pages 5)
  - a. \_\_\_\_\_ Newly Executed (Original or Copy)
  - b. \_\_\_\_\_ Copy from a Prior Application (37 CFR 1.63(d))  
(for Continuation/Divisional with Box 17 completed)
    - i. \_\_\_\_\_ DELETIONS OF INVENTOR(S) Signed statement attached deleting  
inventor(s) named in the prior application, see 37 CFR 1.63(d)(2)  
and 1.33(b).
  - c. X Unsigned.
6. \_\_\_\_\_ Application Data Sheet. (37 CFR 1.76)
7. \_\_\_\_\_ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. \_\_\_\_\_ Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)
  - a. \_\_\_\_\_ Computer Readable Form (CRF)
  - b. \_\_\_\_\_ Specification Sequence Listing on:
    - i. \_\_\_\_\_ CD-ROM or CD-R (2 copies); or
    - ii. \_\_\_\_\_ paper
  - c. \_\_\_\_\_ Statement verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

9. \_\_\_\_\_ Assignment Papers (cover sheet & documents(s))

09767331-012201

10. ☐ a. Separate 37 CFR 3.73(b) Statement (where there is an assignee)  
☐ b. Power of Attorney
11. ☐ English Translation Document (if applicable)
12. ☐ a. Information Disclosure Statement (IDS)/PTO-1449  
☐ b. Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. ☒ Request and Certification under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☒ Other: Copy of postcard with Express Mail Certificate of Mailing

18A. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP)  
Of Prior Application No.: ☐ Examiner ☐ Group Art Unit ☐

(which is a ☐ continuation/ ☐ divisional/ ☐ CIP of prior application no. ☐  
which is a ☐ continuation/ ☐ divisional/ ☐ CIP of prior application no. ☐ (List entire chain of priority)

For CONTINUATION AND DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

18B. Statement under 37 CFR 3.73(b) for continuing application:

The undersigned states that ☐ (name of assignee) is the assignee of the entire right, title, and interest in the accompanying patent application by virtue of an assignment recorded in the Patent and Trademark Office at Reel. No. ☐ Frame No. ☐ (or a copy of which is attached).

19. Correspondence Address

☐ Customer Number or Bar Code Label ☐  
or (Insert Customer No. or Attach Bar Code Label here)

☒ Correspondence Address Below

NAME James C. Scheller, Jr.

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

ADDRESS 12400 Wilshire Boulevard

Seventh Floor

CITY Los Angeles STATE California ZIP CODE 90025-1026

Country U.S.A. TELEPHONE (408) 720-8300 FAX (408) 720-9397

Name (PRINT/TYPE): James C. Scheller, Jr. Registration No.: 31,195

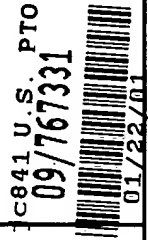
Signature: [Signature] Date: 1/22/2001

## FEE TRANSMITTAL FOR FY 2001

TOTAL AMOUNT OF PAYMENT (\$) 2,478.00

Complete if Known:

Application No. \_\_\_\_\_  
Filing Date January 22, 2001  
First Named Inventor Adolfo Pinheiro Vidé  
Group Art Unit \_\_\_\_\_  
Examiner Name \_\_\_\_\_  
Attorney Docket No. 04324.P038



### METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number 02-2666  
Deposit Account Name \_\_\_\_\_

☐ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

2. ☒ Payment Enclosed:  
☒ Check  
☐ Money Order  
☐ Other

### FEE CALCULATION

#### 1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Code	Fee (\$)	Code	Fee (\$)		
101	710	201	355	Utility application filing fee	<u>\$710.00</u>
106	320	206	160	Design application filing fee	_____
107	490	207	245	Plant filing fee	_____
108	710	208	355	Reissue filing fee	_____
114	150	214	75	Provisional application filing fee	_____
SUBTOTAL (1)\$					<u>710.00</u>

#### 2. EXTRA CLAIM FEES

	Extra	Fee from below	Fee Paid
Total Claims <u>96</u> - 20 = <u>76</u>	X	<u>18.00</u>	= <u>1368.00</u>
Independent Claims <u>8</u> - 3 = <u>5</u>	X	<u>80.00</u>	= <u>400.00</u>
Multiple Dependent Claims _____	X	_____	= _____

\*\*Or number previously paid, if greater; For Reissues, see below.

Large Entity		Small Entity		Fee Description	Fee Paid
Code	Fee (\$)	Code	Fee (\$)		
103	18	203	9	Claims in excess of twenty	<u>1368.</u>
102	80	202	40	Independent claims in excess of 3	<u>400.</u>
104	270	204	135	Multiple dependent claim	_____
109	80	209	40	Reissue independent claims over original patent	_____
110	18	210	9	Reissue claims in excess of 20 and over original patent	_____
SUBTOTAL (2) \$					<u>1768.00</u>

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

<u>Large Entity</u>		<u>Small Entity</u>		<u>Fee Description</u>	<u>Fee Paid</u>
<u>Fee Code</u>	<u>Fee (\$)</u>	<u>Fee Code</u>	<u>Fee (\$)</u>		
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for response within first month	
116	390	216	195	Extension for response within second month	
117	890	217	445	Extension for response within third month	
118	1,390	218	695	Extension for response within fourth month	
128	1,890	228	945	Extension for response within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive unavoidably abandoned application or unavoidably delayed payment of issue fee	
141	1,240	241	620	Petition to revive unintentionally abandoned application or unintentionally delayed payment of issue fee	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	For filing a submission after final rejection (see 37 CFR 1.129(a))	
149	710	249	355	For each additional invention to be examined (see 37 CFR 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

Other fee (specify) \_\_\_\_\_

**SUBTOTAL (3)\$ 0**

\*Reduced by Basic Filing Fee Paid

**SUBMITTED BY:**Typed or Printed Name: James C. Scheller, Jr.Signature:  Date: 1/22/2001Reg. Number: 31.195 Telephone Number: (408) 720-8300

09767331.012201

**REQUEST AND CERTIFICATION UNDER 35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor Adolfo Pinheiro Vidé

Title METHOD AND SYSTEM FOR REMOVAL OF RED EYE EFFECTS

Attorney Docket No. 04324.P038

PTO  
09/767331  
01/22/01

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

1/22/2001  
Date

James C. Scheller, Jr.  
Signature  
James C. Scheller, Jr.  
Typed or Printed Name

31,195  
Registration No.

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months after the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Send to: Assistant Commissioner for Patents, Washington, D.C. 20231

**EXPRESS MAIL CERTIFICATE OF MAILING**

1c841 U.S. PTO  
09/767331



"Express Mail" mailing label number: EL638 835 085 45

Date of Deposit: JANUARY 22, 2001

I hereby certify that I am causing this paper or fee to be deposited with the United States Postal Service "Express Mail Post Office to Addressee" service on the date indicated above and that this paper or fee has been addressed to the Assistant Commissioner for Patents, Washington, D. C. 20231

CONNIE THAYER

(Typed or printed name of person mailing paper or fee)

Connie Thayer

(Signature of person mailing paper or fee)

1-22-2001

(Date signed)

Serial/Patent No.: \*\*\* Filing/Issue Date: January 22, 2001  
Client: MCI Software Corporation  
Title: METHOD AND SYSTEM FOR REMOVAL OF RED EYE EFFECTS  
BSTZ File No.: 04324.P038 Atty/Secty Initials: JCS/clt  
Date Mailed: 1-22-2001 Docket Due Date: \*\*\*

The following has been received in the U.S. Patent & Trademark Office on the date stamped hereon:

- |  |  |  |
|--|--|--|
| <input type="checkbox"/> Amendment/Response (____ pgs.)  | <input checked="" type="checkbox"/> Express Mail No.: <u>EL638835085US</u>                     | <input checked="" type="checkbox"/> Check No. <u>40397</u> |
| <input type="checkbox"/> Appeal Brief (____ pgs.) (in triplicate)                                    | <input type="checkbox"/> _____ Month(s) Extension of Time                                      | Amt: <u>\$2478.00</u>                                      |
| <input checked="" type="checkbox"/> Application - Utility ( <u>40</u> pgs., with cover and abstract) | <input type="checkbox"/> Information Disclosure Statement & PTO 1449 (____ pgs.)               | <input type="checkbox"/> Check No. _____                   |
| <input type="checkbox"/> Application - Rule 1.53(b) Continuation (____ pgs.)                         | <input type="checkbox"/> Issue Fee Transmittal   | Amt: _____   |
| <input type="checkbox"/> Application - Rule 1.53(b) Divisional (____ pgs.)                           | <input type="checkbox"/> Notice of Appeal  |  |
| <input type="checkbox"/> Application - Rule 1.53(b) CIP (____ pgs.)                                  | <input type="checkbox"/> Petition for Extension of Time  |  |
| <input type="checkbox"/> Application - Rule 1.53(d) CPA Transmittal (____ pgs.)                      | <input type="checkbox"/> Petition for _____  |  |
| <input type="checkbox"/> Application - Design (____ pgs.)  | <input checked="" type="checkbox"/> Postcard   |  |
| <input type="checkbox"/> Application - PCT (____ pgs.)   | <input type="checkbox"/> Power of Attorney (____ pgs.)   |  |
| <input type="checkbox"/> Application - Provisional (____ pgs.)                                       | <input type="checkbox"/> Preliminary Amendment (____ pgs.)                                     |  |
| <input type="checkbox"/> Assignment and Cover Sheet  | <input type="checkbox"/> Reply Brief (____ pgs.)   |  |
| <input checked="" type="checkbox"/> Certificate of Mailing   | <input type="checkbox"/> Response to Notice of Missing Parts                                   |  |
| <input checked="" type="checkbox"/> Declaration & POA ( <u>5</u> pgs.) <u>unsigned</u>               | <input type="checkbox"/> Small Entity Declaration for Indep. Inventor/Small Business           |  |
| <input type="checkbox"/> Disclosure Docs & Orig & Copy of Inventor's Signed Letter (____ pgs.)       | <input checked="" type="checkbox"/> Transmittal Letter, <del>in duplicate</del> <u>4</u> pages |  |
| <input checked="" type="checkbox"/> Drawings: <u>7</u> # of sheets includes <u>7</u> figures         | <input checked="" type="checkbox"/> Fee Transmittal, in duplicate <u>2</u> pages               |  |

☐ Other: \_\_\_\_\_